

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

EDWARD J. YANDRISOVITZ and :
CHARLOTTE F. YANDRISOVITZ, :
: Plaintiffs, :
: :
v. : : No. 5:18-cv-1036
: :
OHIO STATE LIFE INSURANCE COMPANY :
and AMERICO FINANCIAL LIFE AND :
ANNUTY INSURANCE COMPANY, :
: Defendants. :

O R D E R

AND NOW, this 31st day of August, 2018, for the reasons expressed in the Opinion issued this date, **IT IS ORDERED THAT**:

1. Defendants' Motion to Dismiss, ECF No. 3, is **DENIED** with respect to Count I of Plaintiffs' Complaint and **GRANTED** with respect to Counts II-V of Plaintiffs' Complaint.
2. Counts II, IV, and V of Plaintiffs' Complaint are **DISMISSED without prejudice**.
3. Count III of Plaintiffs' Complaint is **DISMISSED with prejudice**.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge